

**ORDINANCE NO. 2009-976-O**

**AN ORDINANCE AMENDING AND SUPERSEDING TITLE 10-1-14 OF THE  
WASHINGTON COUNTY CODE (CHANGES AND AMENDMENTS)**

WHEREAS, Washington County has previously adopted Title 10-1-14 of the Washington County Code (Changes and Amendments); and

WHEREAS, in order to comply with the notice requirements of the Utah Code for public hearings for proposed changes to the Washington County Zoning Regulations, including the maps, it is necessary to amend and supersede Title 10-1-14 of the Washington County Code (Changes and Amendments).

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Washington County that Title 10-1-14 of the Washington County Code is hereby amended and superseded as follows:

1. Statutory Authority
2. Purpose of Provisions
3. Findings
4. Title 10-1-14 Amendment
5. Prior Ordinances, Resolutions, Policies and Actions Superseded
6. Effective Date

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-53-208, 17-53-223, 17-27a-102, and 17-27a-205 (1953, as amended).

2. Purpose of Provisions.

This purpose of this ordinance is to amend and supersede Title 10-1-14 of the Washington County Code to make it compatible with the notice requirements of the state code (Utah Code Annotated) for public hearings for proposed changes to the Washington County Zoning Regulations, including the maps.

3. Findings.

- A. Title 10-1-14 of the Washington County Code requires that fourteen (14) day's notice be given for public hearings for proposed changes to the Washington County Zoning Regulations, including the maps.
- B. Utah Code Annotated, § 17-27a-205 (1953, as amended) requires that notice be given at least ten (10) day's notice be given for public hearings for adoption or modification of a land use ordinance.

- C. It is necessary to amend and supersede Title 10-1-14 of the Washington County Code to make it compatible with the Section 17-27a-205 of the Utah Code.
  - D. The Planning Commission caused notice of the hearing and the proposed amendment of Title 11-5-1 of the Washington County Code to be advertised at least ten (10) days before the date of the public hearing in *The Spectrum*, a newspaper of general circulation in Washington County.
  - D. On June 9, 2009, at 1:30 p.m., the Planning Commission held a public hearing to consider any comments regarding the proposed amendment of Title 10-1-14 of the Washington County Code. The Planning Commission accepted all comments.
  - E. The proposed amendment of Title 10-1-14 of the Washington County Code was submitted to the Washington County Planning Commission ("Planning Commission") on June 9, 2009. The Planning Commission recommended approval of the proposed amendment.
  - F. It is in the interest of the public and the citizens of Washington County that the proposed amendment of Title 10-1-14 of the Washington County Code be approved.
4. Title 10-1-14 Amendment.

Title 10-1-14 of the Washington County Code is amended and superseded to read as follows:

10-1-14: CHANGES AND AMENDMENTS. This title, including the maps, may be amended from time to time by the county commission after ten (10) day's notice and public hearing; but all proposed amendments shall be first proposed by the planning commission or shall be submitted to the planning commission for its recommendation, which shall be returned to the county commission for its consideration. The county commission may overrule the planning commission's recommendation by a majority vote of its members.

5. Prior Ordinances, Resolutions, Policies and Actions Superseded.

This ordinance amends and supersedes Title 10-1-14 of the Washington County Code, and all prior ordinances, resolutions, policies, and actions of the Washington County Board of County Commissioners to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

6. Effective Date.

This ordinance takes effect fifteen (15) days after its passage. Following its passage but prior to the effective date, a copy of the Ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

APPROVED AND ADOPTED this 16<sup>th</sup> day of June 2009.

WASHINGTON COUNTY

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JAMES J. EARDLEY, Chair  
Washington County Commission

ATTEST:

\_\_\_\_\_  
Kim M. Hafen  
Washington County Clerk-Auditor

Commissioner Eardley voted \_\_\_\_  
Commissioner Gardner voted \_\_\_\_  
Commissioner Drake voted \_\_\_\_